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**From:** Leigh Padgitt [padgitt.leigh@azdeq.gov]  
**Sent:** 4/5/2019 3:18:13 AM  
**To:** Ziegler, Sam [Ziegler.Sam@epa.gov]  
**CC:** David Lelsz [Lelsz.David@azdeq.gov]; Goldmann, Elizabeth [Goldmann.Elizabeth@epa.gov]; Wampler, David [Wampler.David@epa.gov]; Moffatt, Brett [Moffatt.Brett@epa.gov]; Hurd, Kathy [Hurd.Kathy@epa.gov]  
**Subject:** Re: 404 Assumption

Got it.

Thank you,

**Leigh Padgitt**

Manager, Surface Water Inspections and Compliance Unit  
Ph: 602-771-3093



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On Thu, Apr 4, 2019 at 5:38 AM Ziegler, Sam <[Ziegler.Sam@epa.gov](mailto:Ziegler.Sam@epa.gov)> wrote:

Hi David and Leigh: As David L knows, Liz Goldmann and I are the POCs. The email below seems to be following up on our call last week.

As I understood you wanted to find a date to schedule a call to talk through the questions you recently discussed with the Corps. Is it possible to discuss this at our biweekly? If need be, Liz can help with finding a date to talk. A call should also include Kathy Hurd at HQ and Brett Moffatt our attorney here at R9. And questions in advance please. Thanks.

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Sam Ziegler  
EPA Region 9  
415-972-3399

Sent from mobile device

On Apr 3, 2019, at 7:12 PM, Wampler, David <[Wampler.David@epa.gov](mailto:Wampler.David@epa.gov)> wrote:

Hi Sam and Elizabeth – please see Leigh’s questions, below. Leigh is the manager of the surface water inspection and compliance unit at ADEQ, and she’s looking for an EPA point of contact for the questions she’s asking about 404 assumption.

Please let her (and me) know if you can be that POC. Thanks.

-david

David Wampler

Manager, Water Enforcement Section II

US EPA Region 9

75 Hawthorne Street (ENF 3-2)

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(415) 972-3975

[Wampler.david@epa.gov](mailto:Wampler.david@epa.gov)

**From:** Leigh Padgitt <[padgitt.leigh@azdeq.gov](mailto:padgitt.leigh@azdeq.gov)>

**Sent:** Wednesday, April 3, 2019 3:52 PM

**To:** Wampler, David <[Wampler.David@epa.gov](mailto:Wampler.David@epa.gov)>

**Subject:** 404 Assumption

Hi David,

We want to ask the EPA some questions, precisely those asked to Corps... (below, and if applicable). We need to establish a meeting and are unclear who best to answer these questions. Is there someone (a single point) we can work with?

- Compensatory Mitigation
  - i. Do the Corps and EPA have separate opinions about appropriate aquatic habitat functional assessment models and compensatory mitigation ratios? If so, can the Corps elaborate about this relationship with EPA? How might these separate opinions inform the State assumption of the 404 program?
- Significant Degradation

i. Do the Corps and EPA have separate opinions of significant degradation determination procedures and scope of analysis? If so, can the Corps elaborate about this relationship with EPA? How might these separate opinions inform the State assumption of the 404 program?

- Memorandum of Agreement between the Corps and ADEQ

i. What are the Corps' concerns about including ADEQ within existing ILF instruments? (ex: AZGF, La Paz, Tucson Audubon, Prescott Creeks, SALT ILF)

ii. What are the Corps' concerns about ADEQ inheriting enforcement and compliance responsibility of the existing Corps approved mitigation sites? Will the Corps keep and enforce existing restrictive covenants?

iii. How will ADEQ be informed of the Corps approved mitigation sites from previous permitted activities?

Thank you,

Leigh

**Leigh Padgitt**

Manager, Surface Water Inspections and Compliance Unit  
Ph: 602-771-3093

<image001.jpg>

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